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FORM PTO-1390
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

24460N2PCT/US

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/517124

INTERNATIONAL APPLICATION NO.

PCT/EP2003/005796

INTERNATIONAL FILING DATE

June 3, 2003

PRIORITY DATE CLAIMED

June 3, 2002

TITLE OF INVENTION

METHOD FOR HEATING AND COOLING A ROOM AND A BUILDING WITH A PLURALITY OF ROOMS

APPLICANT(S) FOR DO/EO/US


Klaus FIEBACK, et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau. (PCT/IB/308)
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ ^{unsigned} An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (3 pages)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (Copy of International Search Report from EPO listing references and their relevance (5 pages in English))
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
- ☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☒ ~~XXXXXX THE XXXX XXXX XXXX~~ **ANNEXES, IF ANY, ARE NOT TO BE ENTERED**
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: WO 2003/102484 (cover sheet - with abstract, 2 pages)
17. ☒ PCT/IB/308
18. ☒ CLAIM IS HEREBY MADE OF THE BENEFIT OF THE FILING DATES OF GERMAN PATENT APPLICATIONS: 102 24 656.4 filed June 3, 2002
102 39 785.6 filed August 29, 2002
103 21 646.4 filed May 13, 2003 UNDER 35 USC 119
19. ☒ EXPRESS MAIL mailing label No. EF024291634US deposited December 1, 2004

U.S. APPLICATION NO. 10/517124		INTERNATIONAL APPLICATION NO. PCT/EP2003/005796		ATTORNEY'S DOCKET NUMBER 24460N2/PCT	
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$50.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$60.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		X \$18.00	\$ 0	
Independent claims	- 3 =		X \$78.00	\$ 0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00	\$ 0	
TOTAL OF ABOVE CALCULATIONS =				\$ 950.00	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$ 950.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 950.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 950.00	
				Amount to be:	\$
				refunded	
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>950.00</u> to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0105</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: MARTIN A. FARBER 866 United Nations Plaza, Suite 473 New York, NY 10017 Tel (212) 758-2878 Fax (212) 758-2913				SIGNATURE:  MARTIN A. FARBER NAME Reg. No. <u>22,345</u> REGISTRATION NUMBER	